

FILED
DISTRICT COURT OF GUAM
OCT 26 2005 9P

**MARY L.M. MORAN
CLERK OF COURT**

DISTRICT COURT OF GUAM

TERRITORY OF GUAM

JULIE BABAUTA SANTOS, individually and on behalf of all those similarly situated,) Civil Case No. 04-00006
Petitioner,)
vs.)
FELIX A. CAMACHO, Governor of Guam;) ORDER
ART ILAGAN, Director of Department of)
Revenue and Taxation;)
LOURDES M. PEREZ, Director of)
Department of Administration; and)
GOVERNMENT OF GUAM,)
Respondents.)

On October 13, 2005, the Petitioner, the Governor of Guam, and the Director Respondents (jointly referred to as the “movants”) filed a joint motion (Docket No. 251) requesting that a hearing be set on the motions¹ still pending before the Court. If a hearing date could not be set, the movants alternatively requested that the Court so instruct them so that they could determine whether the dates contained in the settlement agreement would need to be amended.

On October 18 and 21, 2005, the Court issued Orders setting forth the briefing schedule for the Amended Motion for Leave to File Amended Class Action Petition. The Court, however,

¹ These motions are:

- Motion for Conditional Certification of the EIC Class for Settlement Purposes (Docket No. 211);
- Joint Motion for Preliminary Approval of Settlement Agreement (Docket No. 212); and
- Amended Motion for Leave to File Amended Class Action Petition (Docket No. 216).

1 has not set a hearing date for any of the three motions pending because there remains pending for
2 disposition by the district Judge this Court's recommend denial of the motion to disqualify the
3 Attorney General from representing the Government of Guam.

4 In addressing the Governor's objections, the District Judge has requested further briefing
5 on who represents the Government of Guam and "who has final settlement authority" in this
6 case. Pending disposition by the district Judge of those issues, this Court finds it inappropriate
7 to schedule hearings on the pending motions. Accordingly, the hereby DENIES the joint motion
8 to set the motions for hearing at this time.

9 SO ORDERED this 26 ~~12~~ day of October 2005.


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11 JOAQUIN V.E. MANIBUSAN, JR.
12 U.S. Magistrate Judge
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